IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 27TH NOVEMBER 2006 / 6TH AGRAHAYANA 1928

Bail Appl..No. 6855 of 2006()

CRIME NO.442/06 OF OACHIRA POLICE STATION

PETITIONER/ACCUSED NO.1

NAZIM.S, S/O.SHAMSUDHEEN,
AGED 24 YEARS, KOIPPALLIL HOUSE,
EDAKKULANGARA P.O., THODIYOOR VILLAGE,
KARUNAGAPPALLY.

BY ADV. SRI.SUNNY MATHEW

RESPONDENT: COMPLAINANT

STATE OF KERALA THROUGH THE SUB
INSPECTOR OF POLICE, OCHIRA POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 6855 OF 2006

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DATED THIS THE 27th DAY OF NOVEMBER, 2006

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioner who is the first accused in Crime No.442/06 of Oachira Police Station for offences punishable under Sections 341, 323, 294(b),308 and 506(i) read with section 34 I.P.C., seeks anticipatory bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioner and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs.10,000/- with two solvent sureties each for the like amount to the satisfaction of the said officer and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. Petitioner shall not commit any offence while on bail.

5. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,JUDGE.

dsn